

tuted upon it, and judgment recovered, to satisfy which, the property of the defendant has been taken in execution, and it is said that these facts will be admitted by the solicitor for the complainant, and it will probably appear that the money due upon the judgment has been paid to the sheriff.

These facts do not now appear, but if deemed important an opportunity will be given by the order about to be passed, to prove them or any others, which either of the parties may consider material to the case.

THOS. S. ALEXANDER, for Complainants.

THOS. G. PRATT, for Defendants.

CHAUNCEY BROOKS ET AL vs. HENRY H. DENT ADM'R D. B. N. OF HENRY BRAWNER, DECEASED.	}	SEPTEMBER TERM, 1849.
---	---	-----------------------

[CHANCERY PRACTICE—DECREE TO ACCOUNT.]

A FINAL order upon a petition asking the defendant to bring money into court for the purpose of investment, cannot be passed without notice to, or hearing of, the opposite party who has answered the petition, and objected to the application.

A decree to account against an executor or administrator, either separately for the suing creditor, or specially on behalf of himself, and all other creditors is a decree for the benefit of all the creditors, and in the nature of a judgment for all.

From the date of a decree to account upon a creditor's bill against an administrator or executor, and on a due disclosure of assets, an injunction will be granted on the motion of either party to stay all proceedings of any of the creditors at law.

[This was a creditor's bill, filed on the 12th of November, 1840, against the executrix and heirs and devisees of Henry Brawner, deceased. The executrix died in July, 1847, and on the 22d of February, 1848, a bill of revivor was filed against Dent as administrator, *d. b. n.*, of Brawner, who, by his answer, admitted that he had in his hands \$5444 22, applicable to the